

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARTIN STANLEY IVIE,

Plaintiff,

v.

TRAVIS ADAMS, et al.,

Defendants.

CASE NO. C20-5389 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable David W. Christel, United States Magistrate Judge, Dkt. 15, and Plaintiff Martin Ivie’s (“Ivie”) objections to the R&R, Dkt. 17.

On September 3, 2020, Judge Christel issued the R&R recommending that the Court dismiss Ivie’s complaint without prejudice for failure to follow a Court order and failure to provide a serviceable complaint. Dkt. 15. On September 11, 2020, Ivie filed objections. Dkt. 17.

The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to. The district judge may accept, reject, or

1 modify the recommended disposition; receive further evidence; or return the matter to the
2 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).

3 In this case, Ivie fails to establish any error in the R&R. Instead, he advances
4 frivolous arguments such as that the Court is committing criminal offenses by dismissing
5 this case. Dkt. 17. The Court finds Ivie's objections to be without merit. Therefore, the
6 Court having considered the R&R, Ivie's objections, and the remaining record, does
7 hereby find and order as follows:

- 8 (1) The R&R is **ADOPTED**;
- 9 (2) Ivie's complaint is dismissed without prejudice;
- 10 (3) Ivie's motion to proceed *in forma pauperis* is **DENIED as moot**; and
- 11 (4) The Clerk shall enter a JUDGMENT and close the case.

12 Dated this 2nd day of November, 2020.

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15 BENJAMIN H. SETTLE
16 United States District Judge
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